

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

KATHRYN L. BARKER

§

vs.

§

CIVIL ACTION NO. 4:18-cv-502

UHS OF TEXOMA, INC.

§

D/b/a TEXOMA MEDICAL CENTER

§

**OPPOSED MOTION FOR EXTENSION OF TIME
FOR PLAINTIFF TO FILE RESPONSE TO DEFENDANT'S MOTION
FOR SUMMARY JUDGMENT (DKT# 32)**

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW, Kathryn L. Barker, Plaintiff in the above entitled and numbered cause, and files this opposed motion for extension of time for Plaintiff to file her response to Defendant's motion for summary judgment (dkt# 32), and, in support thereof, would respectfully show the Court the following:

I.

Defendant originally filed its motion for summary judgment (dkt#32) on May 6, 2019.

Plaintiff's response is due May 28, 2019.

Plaintiff's counsel is a sole practitioner. The Parties participated in a mediation session in this matter on May 21, 2019 which was ultimately unsuccessful. In the three week period since May 6, 2019, Plaintiff's counsel has had four depositions and numerous deadlines to meet.

In addition, Plaintiff's counsel's legal assistant has been fighting a respiratory condition and been unable to work fully.

Plaintiff requests a seven day extension of time to respond to Defendant's motion for summary judgment to June 4, 2019.

II.

On May 28, 2019, Plaintiff requested the extension of time from Defendant's lead counsel, Tracy Graves Wolf. Ms. Wolf did not respond to counsel's email or to his voice mail.

III.

Plaintiff would show the Court that this request for an extension is not solely for the purposes of delay, but so that justice may be served.

WHEREFORE, PREMISES CONSIDERED, the above the Plaintiff respectfully requests the Court enter an order extending the time for Plaintiff to file her response to Defendant's motion for summary judgment until **June 4, 2019**, and for such other and further relief, at law or in equity, to which she may justly be entitled.

Respectfully submitted,

RONALD R. HUFF
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/s/ Ronald R. Huff
Ronald R. Huff (SBN 10185050)

ATTORNEY FOR PLAINTIFF

CERTIFICATE OF CONFERENCE

The undersigned certifies that on the 28th day of May 2019, I attempted to discuss the extension of time for Plaintiff to respond to Defendant's motion for summary judgment with Tracy Graves Wolf, lead attorney for Defendant, by email and telephone. Ms. Wolf did not respond to my email or to the voice mail I left her.

/s/ Ronald R. Huff
Ronald R. Huff

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on May 28, 2019, a true and correct copy of the foregoing was forwarded electronically via the CM/ECF system in accordance with the FEDERAL RULES OF CIVIL PROCEDURE to:

Tracy Graves Wolf
Brent Sedge
Lewis Brisbois Bisgaard & Smith, LLP
2100 Ross Avenue, Suite 2000
Dallas, Texas 75201

/s/ Ronald R. Huff
Ronald R. Huff